

United States District Court

for the

Southern District of Texas

UNITED STATES OF AMERICA)

V.)

Truman Curtis TART II)

Case Number:)

)

)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 12, 2021 in the county of Webb in the

(Date)

Southern

District of Texas, the defendant(s) violated:

*Code Section**Offense Description*Title 8 United States Code, Section
1324

Knowing and in reckless disregard of the fact that a certain alien had come to, entered, and remained in the United States in violation of law, did transport and move, attempt to transport and move, and conspire to transport and move such alien within the United States, by means of transportation and otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

See attachment "A".



Continued on the attached sheet.

/s/ Alfonso Gonzalez

Complainant's Signature

Alfonso Gonzalez, HSI Task Force Officer

Printed Name and Title

Sworn to before me and signed in my presence,

Date: October 14, 2021_____
Judge's SignatureCity and State: Laredo, TexasChristopher Dos Santos, U.S. Magistrate Judge

Printed Name and Title

ATTACHMENT A

IN RE: **Truman Curtis TART II**

I, **Alfonso Gonzalez**, declare and state as follows:

1. On October 12, 2021, Border Patrol Agent (BPA) was working his assigned duties at the United States Border Patrol Checkpoint located at the 29-mile marker on Interstate Highway 35, north of Laredo, Texas in Webb County.

2. At approximately 8:50 p.m., a blue, 2013 Freightliner Tractor (Temporary plate 325384F) with white trailer (Temporary plate 325398F) approached his inspection lane. Immediately, BPA canine handler told me "Hold this one" as his canine was already alerting to the presence of narcotics and/or concealed humans in the trailer. An immigration inspection was performed on the driver of the vehicle, later identified as Truman Curtis TART II who verbally identified himself as a United States citizen and automatically provided his Texas Commercial Driver's license, Transportation Worker Identification Credential, and a Bill of lading. BPA then questioned the driver if there was anyone else in the vehicle, where he then nodded his head no. While BPA was attempting to review the Bill of Lading, he asked the driver what he was hauling, and he responded with "it is generators". While BPA was conducting his immigration inspection, he noticed the driver avoiding eye contact and looking straight forward. BPA was still conducting his immigration inspection when BPA canine handler advised BPA that during his free air sniff, his Service canine Rino (190204) was alerting to the presence of narcotics and/or concealed humans in the trailer attached to the blue tractor. BPA canine handler communicated to BPA to refer the vehicle to the secondary inspection area to conduct a thorough inspection of the vehicle with his service canine.

3. Once at secondary inspection, BPA asked the driver to exit the vehicle. BPA asked the driver if there was anyone else in the tractor where he then said no. BPA conducted a second free air sniff where his canine Rino (190204) again alerted to the presence of narcotics and/or concealed humans in the trailer attached to the blue tractor. The right door was sealed but left door was not. Supervisory Border Patrol Agent (SBPA) opened the left door and entered the trailer where he then saw fifteen subjects on top of the cargo. An immigration inspection was preformed on the subjects, where they all admitted to being illegally present in the United States. All individuals were placed under arrest and were escorted into the Laredo North Checkpoint for further processing.

4. TART was read his Miranda Rights from a DHS Statment of Rights form in the English language and acknowledged his rights and agreed to provide a statement, however, he stated he did not wish to initial or sign on the Statement of Rights form. TART was deceptive during the interview and contradicted his statements. TART stated that he got loaded at Transformers/Transplace with a full load. TART stated once loaded he drove straight to the U.S. Border Patrol Checkpoint on IH-35 and made no stops in Laredo, Texas or anywhere else. TART was asked about the inconsistencies in TART's original story, namely his timeline not matching the GPS coordinates on his phone. TART then stated after his truck was loaded he took a break. TART said he took the break right by the company that loaded his truck. When confronted that TART's GPS showed he stopped at a different location, TART then claimed he drove around until he found an open area by the road. TART claimed he had never stopped at the spot before which was also contradicted by GPS information from the phone which showed TART had stopped at the same location on a separate day.

TART stated he had picked up loads from this specific business approximately 20 times over the previous three to four weeks.

5. The following two (2) individuals were held as material witnesses to the human smuggling event:
Adan BERISTAIN-Beristain and Hugo CHAN-Nix.

6. Both material witnesses stated they are citizens and nationals of Mexico and Guatemala, respectively, illegally present in the United States. Both material witnesses stated they illegally entered the United States by way of Mexico by crossing the Rio Grande River. Both material witnesses stated arrangements to be transported to Virginia were made with a human smuggling organization (HSO). Both material witnesses stated fees were paid for them to be smuggled into the United States. Both material witnesses stated unknown smugglers loaded them into the tractor trailer in which they were later apprehended by U.S. Border Patrol. Both material witnesses stated they did not see the driver.

[END]

I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on th 12th day of October, 2021.

Alfonso Gonzalez

Alfonso Gonzalez
Task Force Officer
Homeland Security Investigations

